

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
BRITISH TELECOMMUNICATIONS PLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. _____
)	
MEDIATEK WIRELESS, INC.,)	
)	
Defendant.)	
_____)	

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff British Telecommunications plc ("BT") brings this Complaint against Defendant MediaTek Wireless, Inc. ("MediaTek"), and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement under 35 U.S.C. § 271, et seq., by BT against MediaTek for infringement of United States patent No. 5,153,591 ("the '591 patent"). Through the actions complained of herein, MediaTek has willfully and knowingly infringed the '591 patent in defiance of BT's rights.

PARTIES

2. Plaintiff BT is a corporation organized under the laws of England and Wales, and has its principal place of business at 81 Newgate Street, London EC1A 7AJ, United Kingdom.

3. On information and belief, Defendant MediaTek Wireless, Inc. is a corporation incorporated under the laws of the Commonwealth of Massachusetts, and has its principal place

of business at 120 Presidential Way, Woburn, Massachusetts and operates, conducts, and transacts business in Massachusetts.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*

5. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. MediaTek is subject to personal jurisdiction in this judicial district.

7. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), and/or 1400(b).

CLAIM FOR RELIEF MEDIATEK'S INFRINGEMENT OF U.S. PATENT NO. 5,153,591

8. On October 6, 1992, the '591 patent, entitled "Method and Apparatus for Encoding, Decoding and Transmitting Data in Compressed Form," was duly and legally issued by the United States Patent & Trademark Office. The '591 patent remained valid and enforceable in relation to acts of infringement that occurred prior to its expiration. A true and correct copy of the '591 patent is attached hereto as **Exhibit A**.

9. At all times relevant to this action, BT has been the lawful owner of the '591 patent.

10. On information and belief, MediaTek has been infringing the '591 patent under 35 U.S.C. § 271, *et seq.* by, without limitation, making, using, offering to sell, selling, and/or importing products that practice inventions claimed by the '591 patent, inducing others to infringe, and/or committing acts of contributory infringement. Such products include, without

limitation, MediaTek's AD20msp430 SoftFone™ baseband chipsets and accompanying software, and those other MediaTek products and components, including chips, chipsets, firmware, and/or software, that enable compression and decompression of data to be transmitted over wireless and/or wireline networks employing and/or using methods claimed by the '591 patent, including, but not limited to, data compression and decompression methods in accordance with the ITU-T V.42bis Recommendation (the "Infringing Products").

11. MediaTek has been placed on notice of the '591 patent and MediaTek's infringement of that patent by BT.

12. On information and belief, notwithstanding the fact that BT has placed MediaTek on actual notice of its infringement of the '591 patent, MediaTek nonetheless continued to conduct its infringing activity willfully and wantonly throughout the remaining life of the '591 patent.

13. BT has incurred damages as a result of MediaTek's willful infringement of the '591 patent.

REQUEST FOR RELIEF

WHEREFORE, BT respectfully requests that this Court:

(a) enter judgment that MediaTek has infringed one or more claims of the '591 patent directly and/or by inducing or contributing to infringement by others;

(b) award BT all relief available under the patent laws of the United States based on MediaTek's infringement, including, but not limited to, monetary damages and prejudgment interest;

- (c) enter judgment that MediaTek's acts of infringement have been willful and award BT enhanced damages under 35 U.S.C. § 284;
- (d) determine that this case is exceptional under 35 U.S.C. § 285 and award BT its attorneys' fees and costs of suit; and
- (e) provide BT such additional and further relief as the Court deems proper.

DEMAND FOR JURY TRIAL

BT demands a trial by jury on all issues so triable.

Respectfully submitted,

BRITISH TELECOMMUNICATIONS PLC,

By its attorneys,

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